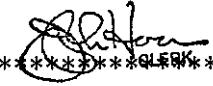


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

FILED
JAN 28 2008



UNITED STATES OF AMERICA, *

Plaintiff, *

vs. *

ORDER

FLOYD J. BLACK SPOTTED HORSE, JR., *

Defendant. *

Pending before the Court is Defendant Floyd J. Black Spotted Horse, Jr.'s Fourth Motion to Continue Trial and Related Pretrial Deadlines, Doc. 25, requesting the Court continue the trial setting to a time at least thirty (30) days past the current trial date of February 26, 2008, as well as all related pretrial deadlines, and after consideration of the file in this matter, the Court finds that failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and further that failure to grant the continuance would deny the public interest in bringing this case to trial in an orderly fashion. Further, the Court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the Defendant in a speedy trial. For all of those reasons as well as those set forth in the Motion,

IT IS ORDERED:

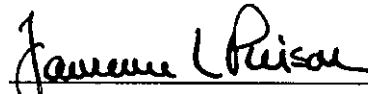
1. That Defendant Floyd J. Spotted Horse, Jr.'s Fourth Motion to Continue Trial and Related Pre-Trial Deadlines, Doc. 25, is granted.
2. That March 7, 2008, is hereby set as the deadline for submission to the Court of any proposed plea agreement.
3. That all motions in limine shall be in writing and filed, together with proposed instructions, with the Court ten (10) working days before trial.
4. That the jury trial herein for Defendant shall commence in Pierre, South Dakota, on Tuesday, April 8, 2008, with counsel to be present

for motions in limine at 9:00 A.M., and with the jury to report at 9:30 A.M.

5. That the period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense for the Defendant must commence, as the Court finds that the ends of justice served by taking such action outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

Dated this 28th day of January, 2008.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 
DEPUTY